

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ALLEN BOYD, et al,

Plaintiffs,

VS.

SOCIAL SECURITY ADMINISTRATION,

Defendant.

Case No. 2:13-cv-00330-GMN-NJK

## REPORT AND RECOMMENDATION

This matter is before the Court on Plaintiffs Allen and Nikci Boyd's failure to comply with the Court's Order (Docket No. 3). Plaintiff filed an incomplete Application to Proceed In Forma Pauperis on February 27, 2013. Docket No. 1. The Court could not determine whether Plaintiffs qualified to proceed in forma pauperis. On March 5, 2013, the Court entered an Order denying Plaintiffs' Application without prejudice, directing the Clerk of Court to mail Plaintiffs new applications, and allowing Plaintiffs to file a completed application or pay the \$350 filing fee on or before April 4, 2013. *See* Docket No. 3. The Order advised Plaintiffs that failure to comply would result in a recommendation to the District Judge for dismissal. Plaintiffs have not complied or requested an extension of time in which to comply.

Accordingly,

**IT IS RECOMMENDED** that Plaintiffs' Application to Proceed In Forma Pauperis be DENIED and this action be DISMISSED without prejudice to the Plaintiffs' ability to commence a new action in which they either pay the appropriate filing fee in full or submit a completed application to proceed in forma pauperis.

**IT IS FURTHER RECOMMENDED** that the Clerk of the Court enter judgment accordingly.

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**NOTICE**

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, any party may file written objections with the court. Pursuant to Local Rule of Practice (LR) IB 3-2(a), any party wishing to object to the findings and recommendations of a magistrate judge shall file and serve *specific written objections* together with points and authorities in support of those objections, within fourteen days of the date of service of the findings and recommendations. The document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." The parties are advised that failure to file objections within the specified time may waive the right to appeal the District Court's Order. *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991). The points and authorities filed in support of the specific written objections are subject to the page limitations found in LR 7-4.

Dated: April 5, 2013



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NANCY J. KOPPE  
UNITED STATES MAGISTRATE JUDGE